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Paper No. 20

**SQUIRE SANDERS & DEMPSEY  
14<sup>TH</sup> FLOOR  
8000 TOWERS CRESCENT  
TYSONS CORNER, VA 22182**

**COPY MAILED**

**DEC 30 2004**

**OFFICE OF PETITIONS**

In re Application of	:	
Jose J. Garcia-Luna-Aceves et al	:	
Application No. 09/703,074	:	ON PETITION
Filed: October 31, 2000	:	
Attorney Docket No. 59643.00244	:	

This is a decision on the petition under 37 CFR 1.137(b), filed December 9, 2004, to revive the above-identified application.

The petition is **GRANTED**.

**The two-month period for filing an appeal brief in triplicate (accompanied by the fee required by 37 CFR 1.17(c)), runs from the date of this decision.**

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed August 21, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on November 22, 2003.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. If the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

The Revocation and New Power of Attorney filed December 9, 2004 has been entered and made of record.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (571) 272-3220.

The application file is being forwarded to Technology Center AU 2663.

  
Wan Laymon

Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner  
for Patent Examination Policy

cc: Notice Regarding Change of Power of Attorney  
Notice of Acceptance of Power of Attorney